



IAPG Rec'd PCT/PTO 28 SEP 2006 POT

Mail Certificate

I hereby confirm that I, Kevin D., McCarthy, have deposited this correspondence along with other documents with the U.S. Postal Service by first class mail, (postage pre-paid) to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on September 25, 2006.

Kevin D. McCarthy
Kevin D. McCarthy
Date September 25, 2006

Patent 0-06-058/16434/US/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Mechoulam et al.
Serial no.: 10/570,737
I.A. Filed: September 8, 2004
Title: PHARMACEUTICAL COMPOSITIONS CONTAINING
(+) CANNABIDIOIL AND DERIVATIVES THEREOF AND SOME
SUCH NOVEL DERIVATIVES
Examiner: N/A
Art Unit: N/A

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Applicant submits (a) a copy of the "notification of missing requirements under 35, U.S.C. 371 in the United States designated/elected office (DO/EO/US)" that was mailed on September 20, 2006; (b) an executed declaration; (c) assignment documents for (1) Raphael Mechoulam and (2) Ester Fridé; and (d) a form 2038 for \$145.

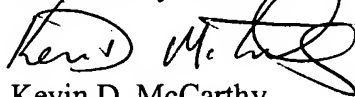
In the "notification", the USPTO wrote, "This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. . . . Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. . . ." Applicant respectfully traverses that requirement because the instant application is directed to a chemical compound that, in our opinion, does not require a Sequence Listing and moreover is difficult to provide.

Applicant attempted to contact Vonda M Wallace but was placed into voice mail. Applicant contacted the "Rules Interpretation" phone number identified on the "Notification" document. The Rule Interpretation office informed us that this matter would be addressed since our opinion appears, initially, to be correct – the application is directed to a chemical compound and chemical compound applications do not need a Sequence Listing.

Applicant respectfully requests the USPTO reconsider its demand that a Sequence Listing be submitted for this application. If the USPTO maintains a Sequence Listing is needed, applicant respectfully requests the USPTO issue a second office action detailing how the applicant should prepare a Sequence Listing for a chemical compound.

It is respectfully requested that these documents be entered and considered timely filed.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Kevin D. McCarthy", written over the typed name.

Kevin D. McCarthy
Reg. No. 35,278

Roach, Brown, McCarthy & Gruber, P.C.
1620 Liberty Building - 420 Main Street
Buffalo, New York 14202



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/570,737	Raphael Mechoulam	006058

INTERNATIONAL APPLICATION NO.	
PCT/IL04/00810	
I.A. FILING DATE	PRIORITY DATE
09/08/2004	09/10/2003

Kevin D. McCarthy
 Roach Brown McCarthy & Gruber
 420 Main Street
 1620 Liberty Building
 Buffalo, NY 14202

CONFIRMATION NO. 8698

371 FORMALITIES LETTER



OC000000020502587

Date Mailed: 09/20/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity-Status
- Copy of the International Application filed on 03/07/2006
- Copy of the International Search Report filed on 03/07/2006
- Preliminary Amendments filed on 03/07/2006
- Information Disclosure Statements filed on 03/07/2006
- Oath or Declaration filed on 03/07/2006
- Small Entity Statement filed on 03/07/2006
- Request for Immediate Examination filed on 03/07/2006
- U.S. Basic National Fees filed on 03/07/2006
- Priority Documents filed on 03/07/2006
- Specification filed on 03/07/2006
- Claims filed on 03/07/2006
- Abstracts filed on 03/07/2006
- Drawings filed on 03/07/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65 Surcharge.**
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/570,737	PCT/IL04/00810	006058

FORM PCT/DO/EO/905 (371 Formalities Notice)